

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claims 1 - 7 (Canceled).

Claim 8 (New): A recording medium type determining apparatus, comprising:
a reading section for reading an open-reproduction signal from a recording medium while
tracking servo control is kept open; and
a determining section for determining presence of a wobble on the recording medium based
on the open-reproduction signal read by the reading section,
wherein the type of the recording medium is determined based on the determination results
of the determining section.

Claim 9 (New): The recording medium type determining apparatus according to claim 8,
further comprising:
a signal generating section for generating a radial push-pull signal based on the open-
reproduction signal; and
a wobble-detecting section for detecting a wobble signal contained in the radial push-pull

signal,

wherein the determining section determines the type of the recording medium based on the output of the wobble-detecting section.

Claim 10 (New): The recording medium type determining apparatus according to claim 9, wherein the wobble signal is detected using autocorrelation of the radial push-pull signal.

Claim 11 (New): The recording medium type determining apparatus according to claim 10, wherein the wobble-detecting section comprises a filter for outputting a smoothing signal in which a level fluctuation factor of the recording medium by virtue of radial runout of the recording medium is reduced,

the wobble being detected based on autocorrelation of the smoothing signal.

Claim 12 (New): The recording medium type determining apparatus according to claim 11, the wobble-detecting section further comprising:

a binarizing section for binarizing the output of the filter;

an autocorrelation computing section for computing autocorrelation value of the signal output by the binarizing section; and

a maximum value detecting section for detecting the maximum value of a signal output by the autocorrelation computing section.

Claim 13 (New): The recording medium type determining apparatus according to claim 12, wherein the autocorrelation computing section comprises:

 a data converting section for converting a signal sent from the binarizing section to signed data;

 a delay/sign-negating section for delaying the signed data by a predetermined period of time and negating the sign;

 a multiplying section for multiplying the signed data by the sign-negated data sent from the delay/sign-negating section; and

 an integrating section for integrating the multiplied data sent from the multiplying section.

Claim 14 (New): The recording medium type determining apparatus according to claim 13, wherein the predetermined period of time is a half cycle of the wobble signal included in the radial-push-pull signal.

Claim 15 (New): The recording medium type determining apparatus according to claim 12, wherein the wobble-detecting section comprises a control signal generating section for generating signals for controlling the autocorrelation computer section and the maximum value detecting section.

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Claim 16 (New): The recording medium type determining apparatus according to claim 12, wherein the determining section determines, by comparing the maximum value sent from the maximum value detecting section to a prespecified reference value, whether the recording medium is a recording medium dedicated to read only one or a writable one.

Claim 17 (New): A recording medium type determining method, comprising:
reading an open-reproduction signal from a recording medium while tracking servo control is kept open; and
determining presence of a wobble on the recording medium based on the open-reproduction signal read during the reading step,
wherein the type of the recording medium is determined based on the determination results during the determining step.